

“§ 1715. Prohibition on smoking in facilities of the Veterans Health Administration

“(a) PROHIBITION.—No person (including any veteran, patient, resident, employee of the Department, contractor, or visitor) may smoke on the premises of any facility of the Veterans Health Administration.

“(b) DEFINITIONS.—In this section:

“(1) The term ‘facility of the Veterans Health Administration’ means any land or building (including any medical center, nursing home, domiciliary facility, outpatient clinic, or center that provides readjustment counseling) that is—

“(A) under the jurisdiction of the Department of Veterans Affairs;

“(B) under the control of the Veterans Health Administration; and

“(C) not under the control of the General Services Administration.

“(2) The term ‘smoke’ includes—

“(A) the use of cigarettes, cigars, pipes, and any other combustion or heating of tobacco; and

“(B) the use of any electronic nicotine delivery system, including electronic or e-cigarettes, vape pens, and e-cigarettes.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 17 of such title is amended by striking the item relating to section 1715 and inserting the following new item:

“1715. Prohibition on smoking in facilities of the Veterans Health Administration.”.

(b) CONFORMING AMENDMENT.—Section 526 of the Veterans Health Care Act of 1992 (Public Law 102-585; 38 U.S.C. 1715 note) is repealed.

By Mr. DURBIN (for himself, Mr. LEE, Mr. COONS, and Mr. WICKER):

S. 1056. A bill to give Federal courts additional discretion to determine whether pretrial detention is appropriate for defendants charged with non-violent drug offenses in Federal criminal cases; to the Committee on the Judiciary.

Mr. DURBIN. Madam President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1056

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Smarter Pretrial Detention for Drug Charges Act of 2023”.

SEC. 2. RELEASE CONDITIONS AND DETENTION IN FEDERAL CRIMINAL CASES.

Section 3142 of title 18, United States Code, is amended—

(1) by striking “(42 U.S.C. 14135a)” each place it appears and inserting “(34 U.S.C. 40702)”;

and

(2) in subsection (e)(3)—

(A) by striking subparagraph (A); and

(B) by redesignating subparagraphs (B), (C), (D), and (E) as subparagraphs (A), (B), (C), and (D), respectively.

By Mr. REED (for himself and Mr. DURBIN):

S. 1058. A bill to protect airline crew members, security screening personnel, and passengers by banning abusive passengers from commercial aircraft flights, and for other purposes; to the

Committee on Commerce, Science, and Transportation.

Mr. REED. Madam President, today I am introducing the Protection from Abusive Passengers Act, a bill that is aimed at eliminating the rash of violence and abuse that is occurring on commercial flights across the country. I am pleased to be joined in this effort by Representatives ERIC SWALWELL of California and BRIAN FITZPATRICK of Pennsylvania, who are introducing companion legislation in the other body. The goal of our bill is to send a clear signal that individuals who engage in serious abusive or violent behavior on an aircraft or at an airport security checkpoint will be banned from flying.

In the last few years, we have seen an extraordinary increase in the number of cases of violence and abuse against crewmembers and airline passengers. In 2022, the Federal Aviation Administration received 2,456 reports of “unruly passengers.” Those complaints led to 831 investigations, a record 567 enforcement actions initiated, and a historic \$8.45 million in proposed fines. That makes 2022 one of the most violent years in air travel since the FAA started tracking incidents in the mid-1990s, second only to 2021. While the numbers are trending down, we are still seeing some extraordinary dangerous and violent behavior.

In April 2022, the FAA proposed a record \$81,950 fine against a passenger who tried to open the cockpit door on an American Airlines flight from Dallas to Charlotte, struck and threatened multiple flight attendants, and continued to attempt to assault the crew and other passengers once restrained.

The FAA also proposed a \$77,272 fine against a passenger on a Delta flight from Las Vegas who “attempted to hug and kiss the passenger seated next to her; walked to the front of the aircraft to try to exit during flight; refused to return to her seat; and bit another passenger multiple times.”

Just this month, the Department of Justice reported the arrest of a passenger for allegedly attempting to open an emergency exit door while aboard a United Airlines flight from Los Angeles to Boston. During the incident, the passenger attempted to stab a flight attendant with a broken metal spoon, hitting the flight attendant on the neck area three times. Video of this disturbing assault went viral and was widely reported on.

In any setting, these actions would be shocking and unacceptable but on an airplane, such behavior also represents a danger to all passengers. Clearly, the existing regime of civil and criminal penalties have not been enough to deter this upsurge. We need to send a signal that such type of behavior will not be tolerated.

The Protection from Abusive Passengers Act would require the Transportation Security Administration to create and manage a program which bars passengers who are fined or con-

victed of abusive behavior and physical violence from flying. Transparency and notice will be provided to banned individuals, including guidelines for removal and opportunities for appeal. The bill would also permanently ban abusive passengers from participating in the TSA PreCheck or Customs’ Global Entry Programs.

The bill provides appropriate fairness and due process by ensuring that only individuals who have been assessed civil or criminal penalty for abusive and violent behavior will be included on a list of banned fliers. The bill also requires the TSA to explain how it will maintain its list of banned fliers, provide an explanation of how long an individual may be barred from flying based on the severity of the offense, and set guidelines for an individual to appeal and seek removal from the list of banned fliers.

I believe this bill strikes the appropriate balance of assuring fairness and transparency while sending a strong signal that violent and abusive behavior will not be tolerated. I am pleased that the bill is supported by both airline industry leaders and labor unions, including Air Line Pilots Association; Association of Flight Attendants, CWA; Association of Professional Flight Attendants; Transport Workers Union of America, AFL-CIO; Transportation Trades Department, AFL-CIO; Communications Workers of America, CWA; American Airlines; Delta Airlines; and Southwest Airlines. I hope that my colleagues will join me in supporting this important bill.

By Mr. CARDIN:

S. 1061. A bill to prospectively repeal the 2001 Authorization for Use of Military Force; to the Committee on Foreign Relations.

Mr. CARDIN. Madam President, the Senate today has finally voted to repeal two outdated and obsolete authorizations for the use of military force—those that launched two wars against the Iraqi Government of Saddam Hussein, enacted into law in 1991 and 2002.

Yet this is not the only action we must take to protect our national security. A third AUMF, which Congress enacted in 2001 in the aftermath of the 9/11 attacks on our country by the terrorist organization al-Qaida, is also outdated and ought to be repealed. This authorization was fully justified and necessary at the time, and I voted in favor of it.

It was sadly necessary to go to war in Afghanistan to remove the very real threat that al-Qaida posed from its sanctuary there.

But, as I have repeatedly argued in successive Congresses since 2014, this AUMF, too, is now obsolete. We ought to repeal it and replace it with a new AUMF that more accurately reflects the threats our country faces today.

Four Presidents from both parties have used the 2001 AUMF to target groups that did not even exist on 9/11/2001 in countries such as Yemen and